

REPORT OF REQUEST FOR RESTRICTIVE TRADE PRACTICE OR BOYCOTT
SINGLE TRANSACTION

(For reporting requests described in Part 769 of the Export Administration Regulations)

NOTICE OF RIGHT TO PROTECT CERTAIN INFORMATION FROM DISCLOSURE

The Export Administration Act permits you to protect from public disclosure information regarding the quantity, description, and value of commodities or technical data supplied in Item 11 of this report and in any accompanying documents. If you do not claim this protection, all of the information in your report and in accompanying documents will be made available for public inspection and copying.

You can obtain this protection by certifying, in Item 10 of the report, that disclosure of the information referred to above would place a United States company or individual involved in the report at a competitive disadvantage. If you make such a certification in Item 10, you may remove information regarding the quantity, description, and value of the commodities or technical data supplied by you from Item 11 of the inspection copy of the report form and from the public inspection copies of the accompanying documents.

The withholding of this information will be honored by the Department unless the Secretary determines that disclosure of the information would not place a United States company or individual at a competitive disadvantage or that it would be contrary to the national interest to withhold the information.

A		BATCH		69		5	
MONTH/YEAR		6		9			
RSN		10		15		SUBSET 16 17	
RTP		18				27	
CLASS		28		FILING 55		TAG 70 80	

This report required by law (50 U.S.C. App. §2407 (b) (2) P.L. 96-72; E.O. 12214; 15 C.F.R. Part (769). Failure to report can result both in criminal penalties, including fines or imprisonment, and administrative sanctions.

Instructions: 1. Complete all items that apply. 2. Assemble original report form and accompanying documents as a unit, and submit intact and unaltered. 3. Assemble and submit the duplicate copy of report form (marked Duplicate (Public Inspection Copy)) and additional copies of accompanying documents (marked with the legend "Public Inspection Copy.") 4. If you certify, in Item 10, that the disclosure of the information specified there would cause competitive disadvantage, edit the "Public Inspection Copy" of the documents submitted to exclude the specified information and remove the bottom of the Duplicate "Public Inspection Copy" of the report form relating to Item 11.

Public reporting for this collection of information is estimated to average one hour per request, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Office of Security and Management Support, Bureau of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230; and to the Office of Management and Budget, Paperwork Reduction Project (0694-0012), Washington, D.C. 20503

1a. Identify firm submitting this report:

Name: J. C. Penney Export Merchandising Corporation
Address: P. O. Box 10001
City, State and ZIP: Dallas, TX 75301
Country (if other than USA):
Telephone: (972) 431-5590
Firm Identification No. (if known): 320775

Specify firm type:

- ☒ Exporter
☐ Bank
☐ Forwarder
☐ Carrier
☐ Insurer
☐ Other

1b. Check any applicable box:

- ☐ Revision of a previous report (attach two copies of the previously submitted report)
☐ Resubmission of a deficient report returned by BXA (attach form letter that was returned with deficient report)
☐ Report on behalf of the person identified in Item 2
☐ Dual report on behalf of self and the person identified in Item 2

2. If you are authorized to report and are reporting on behalf of another U.S. person, identify that person (e.g., domestic subsidiary, controlled Foreign subsidiary, exporter, beneficiary):

Name:

Address:

City, State and ZIP:

Country (if other than USA):

Type of firm: (see list in Item 1a)

Firm Identification No. (if known):

3. Identify exporting firm, unless same as Item 1a or 2:

Name:

Address:

City, State and ZIP:

Country (if other than USA):

Firm Identification No. (if known):

36-41

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4. (a) Name of boycotting country from which request originated:

Kuwait, United Arab Emirates

(b) Name of country directing inclusion of request, if different from (a) above:

43-44

5. Name of country or countries against which request is directed:

Israel

45-46

6. Reporting firm's reference number (e.g., letter of credit, customer order, invoice):

71-77

7. Date firm received request: (use digits for month/day/year)

19 January 1998

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8. Specify type(s) of document conveying the request:

- ☐ Request to carrier for blacklist certificate (submit two copies of blacklist certificate or transcript of request)

- ☐ Unwritten, not otherwise provided for (make transcript of request and submit copies)

53-54

- ☐ Letter of credit
☐ Requisition/purchase order/accepted contract/shipping instruction
☐ Bid invitation/tender/proposal/trade opportunity
☐ Questionnaire (not related to a particular dollar value transaction)
☒ Other written (specify) Letter

Submit two copies of each document or relevant page in which the request appears

9. Decision on request: (Check one)

- ☒ Have not taken and will not take the action requested.
☐ Have taken or will take the action requested.
☐ Have taken or will take the action requested and claim it is subject to a grace period (attached detailed explanation).

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- ☐ Have taken or will take the action requested but in a modified form (attach detailed explanation).

- ☐ Unable to report ultimate decision on the request at this time and will inform the Bureau of Export Administration of the decision within ten days after decision is made.

Ad 04-22-98

Additional Information: The firm submitting this report may, if it so desires, state on a separate sheet any additional information relating to the request reported or the response to that request. This statement will constitute a part of the report and will be made available for public inspection and copying, subject to the right to protect certain confidential information from disclosure described in Item 10.

10. Protection of Certain Information from Disclosure: (Check appropriate boxes and sign below)

1. ☒ I (We) certify that disclosure to the public of the information regarding quantity, description, and value of the commodities or technical data contained in:
☐ Item 11 below (If you check this box, be sure to remove the bottom of the Duplicate (Public Inspection Copy) of the report form relating to Item 11.)
☒ Attached documents (If you check this box, be sure to edit the "Public Inspection Copy" of the documents submitted to exclude the specified information.) would place a United States person involved at a competitive disadvantage, and I (We) request that it be kept confidential.
2. ☐ I (we) authorize public release of all information contained in the report and in any attached documents. I (We) certify that all statements and information contained in this report are true and correct to the best of my (our) knowledge and belief.

J. C. Penney Export Merchandising Corporation

Sign here in ink

Phillip A. Steimetz

Type or print

President

Date 20 April 1998

Managing Director's Office

Ref : JCP/KWT/0157/98

January 18, 1998

Mr. Phillip A. Steinmetz
President & CEO
JCPenney Export Merchandising Corp.
6501 Legacy Drive
Plano, Texas 75024-3698
U.S.A.

Fax : +1 (972) 431 5008

Dear Phil,

Subject : JCPenney Collections Kuwait

A note in haste to apprise you of a serious matter that has arisen this week with regard to JCPenney Collections in Kuwait.

A local Kuwaiti paper published a parliamentary letter submitted by a Member of Parliament to the Minister of Commerce and Industry in Kuwait stating the following:-

1. "Quantities of Israeli products have been found in JCPenney Collections stores bearing the label ADONNA, with an attached tag printed on it "MADE IN ISRAEL" in English. We wish to know what was the total volume of this consignment and its date of entry".
2. "What penalties are being imposed by the authorities against the offending Companies that import Israeli products and put them up for sale?"
3. "What measures will be taken by the Ministry to apply more control on this phenomena in the future?"

An audit of ADONNA stock in Dubai has revealed that a recent consignment of ADONNA sports BRA No. 1280700 was made in four countries, viz. China, Macau, Hong Kong and Israel. Infact, the consignment contained 22 bras of Israeli origin and these were immediately taken off the shop floor. We are also checking other stores in the Gulf.

We are not sure what the outcome of the parliamentary question in Kuwait will be but it may be wise to take a pre-emptive measure by obtaining an explanatory letter from JCPenney addressed to Al Sabriya Liwa in Kuwait. Such letter would state that a small consignment of ADONNA products, made in Israel, were inadvertently included in a recent shipment to the Middle East, contrary to the instructions received from Al Sabriya - Liwa. The same product is also made in China, Singapore, Macau and Hong Kong for all JCPenney stores in the U.S.A. and abroad. Every effort will be made in the future to avoid a recurrence.

Contd.

LIWA STORES

مخبرات ليوا

Showrooms at: Abu Dhabi, Al Ain, Al Khobar, Bahrain, Dubai, Kuwait, Muscat & Riyadh. معارض في: أبو ظبي، العين، الخبر والشارقة، البحرين، الكويت، مسقط، عمان وعمان.

المكتب الرئيسي: برج المير - شارع النصر، ص.ب. ٤٦٦٦٦ - أبوظبي - الإمارات العربية المتحدة - هاتف: ٢٩١١٠٠ - فاكس: ٢٤١٧٨٨ - ش.ب. ٢٢٤٩٩ - ابوظبي

Head Office: Falcon Tower, Al Nasr Street, P.O. Box 46611, Abu Dhabi - U.A.E. Tel: 391100, Fax: 341788, Telex: 23199 ARNAAS EM

Please address all correspondence to Head Office

TEL Code: 0712

تفضل جميع المراسلات للمكتب الرئيسي رجاءاً

JAN 19 '98 00:07

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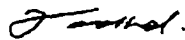
For information, a member of the Commercial Services of the U.S. Embassy visited our store in Kuwait today to investigate the press report. He was assured that the store was free of any Israeli-made merchandise. However, it will also be helpful if JCPEMC wrote to the U.S. Embassy, providing a brief background to the problem, in an attempt to assist the Embassy in defusing the situation with the authorities.

In the meantime, more care should be exercised at Statesville to ensure that such cases are avoided in future. These incidents, not only have political ramifications but also adversely affect our credibility with customers and Customs authorities, who may decide to inspect each and every carton/box of future shipments looking for offending articles.

I look forward to your views on this matter.

Best regards

Yours sincerely,



FADIEL M KLIAN

PS: I am informed by Abdul Rahman Sultan that he has personally visited today the Member of Parliament who is raising the issue and managed to obtain from him a copy of the Tag on the offending merchandise. This is attached for information.

Encl.